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OF THE

UNITED STATES

GEORGE SHIRAS
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BY

HAMPTON L. CARSON

OF THE PHILADELPHIA BAR

PHILADELPHIA

A. R. KELLER COMPANY

1892

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George Shiras, Jr.

by

*Hampton L. Carson
of the Philadelphia Bar*

*Philadelphia
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1892



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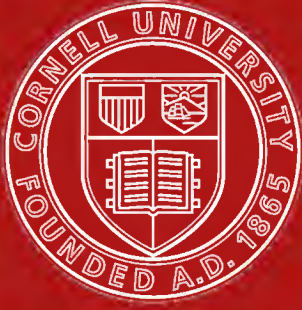
"What, Sir, is the Supreme Court of the United States? It is the august representative of the wisdom and justice and conscience of this whole people, in the exposition of their Constitution and laws. It is the peaceful and venerable arbitrator between the citizens in all questions touching the extent and sway of Constitutional power. It is the great moral substitute for force in controversies between the People, the States and the Union."—HORACE BINNEY.

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Wm. Stirling J.

GEORGE SHIRAS, JR.

On the 22d of January, 1892, after more than twenty-one years of judicial service, Mr. Justice Bradley died, leaving a reputation for learning and ability which is one of the precious possessions of the Court. After the most searching inquiry and attentive consideration, President Harrison sent to the Senate, on the 19th of July, the name of George Shiras, Jr., as Mr. Bradley's successor, and notwithstanding strenuous efforts to prevent his confirmation by those who prefer politicians to jurists as judicial appointees, the Judiciary Committee reported his name within a week, and he was immediately confirmed. He is the fifth representative of Pennsylvania in the most august of our tribunals, his predecessors being Justices James Wilson, Henry Baldwin, Robert C. Grier, and William Strong.

He was born in Pittsburgh, Allegheny County, Pennsylvania, on the 26th of January, 1832. His remote ancestors on his father's side were among those sturdy Scots who bled with Wallace and followed Bruce to victory, although in later years the family strayed to the more fertile fields south of the Tweed. His father's great-grandfather came to Mount Holly, New Jersey, in 1750, and his grandfather, who was born two years before the battle of Lexington, removed to Fort Pitt, at the junction of the Allegheny and Monongahela rivers about the year 1800, where, but forty years before, upon what was then the Western frontier, General Stanwix

and Colonel Bouquet had built redoubts. There the father of the present Justice, who is still living in good physical and mental health, was born on the 31st of March, 1805. The grandmother of Mr. Justice Shiras belonged to the Perry family, which is of New England extraction, after which the town of Perry on the Monongahela river was called. The mother of George Shiras, Jr., a woman of great beauty and rare mental gifts, was the daughter of the Rev. Dr. Francis Herron, a native of Cumberland County, Pennsylvania, of Scotch-Irish origin, who was educated at Dickinson College with Chief Justice Taney and President Carnahan, of Princeton College, as classmates, and who is still remembered as one of the most eminent and learned of divines, as well as one of the noblest of men, who in 1809 became the founder and pastor of the First Presbyterian Church, of Pittsburgh, and graced the position for fifty years. The wife of Dr. Herron, the maternal grandmother of Mr. Shiras, was Elizabeth Blaine, also of Scotch-Irish descent, and was born in Carlisle, Penna., the daughter of Ephraim Blaine, one of whose sons was the father of James G. Blaine.

Inheriting the intellectual independence, the self-respect and courage of this sturdy ancestry, George Shiras, Jr., after an excellent preliminary schooling, was fitted for college at the Ohio University, at Athens, and was sent to Yale as a member of the famous class of 1853, graduating in that year with Wayne MacVeagh, Andrew D. White, and Senator Gibson, of Louisiana, as classmates, and with two of his present associates, Justices Brewer and Brown, as well as Chauncey M. Depew as fellow collegians.

He pursued a course of law studies for one year in the Yale Law School, and then returning home read law under the direction of the Hon. Hopewell Hepburn, being admitted

to the bar of Allegheny County, Pa., in 1856. Removing to Dubuque, Iowa, in the following year, he joined his brother, Oliver P. Shiras, who is now United States District Judge in that Circuit. In 1858 he returned to Pittsburgh, and entered into a law partnership with his preceptor and his son, which continued until the death of Judge Hepburn in 1862. Since then he has continued in the uninterrupted and active practice of the law, and although closely identified with the growth and development of his native City and an earnest member of the Republican Party, he has never participated actively in politics and has never held an office, except that of Presidential Elector in 1888.

No artifice or persuasion could ever induce him to cast his eyes on the glittering rewards for partisan service, nor tempt him to stoop to acts which might be construed, however vaguely, as solicitations of political favors. In the deadlock of 1882, during the joint session of both Houses of the Legislature of Pennsylvania, Mr. Shiras was nominated as a compromise candidate for United States Senator, without his knowledge, on a secret ballot by a majority of two votes. His failure to respond to a telegram, due to his abhorrence of office-seeking, cost him the place, and the next day the Hon. John I. Mitchell was chosen.

At the bar the career of Mr. Shiras was marked by remarkable success in the transaction of an extensive business. For many years he has tried the most important cases arising in Western Pennsylvania, involving vast interests in oil, and coal, and iron, as well as corporate enterprises, railroad extensions, and great commercial and banking transactions. As a lawyer he was both able and conscientious, courteous and dignified in manner, of abundant legal learning, extraordinary quickness of apprehension, great strength of memory and sa-

gacious judgment. Highly accomplished as a scholar, of wide and general knowledge and experience, he brought to the discussion of complicated facts well-trained powers of analysis, and in addressing a court he was always calm, clear, simple, and straightforward in argument, acting rather as an *amicus curiæ* than as an impassioned partisan. His unvarying courtesy, his self-possession, which is rarely disturbed, his willingness to listen and his power of attention, his forbearance, his gentleness, and the merciful character of his judgments, are admirable qualities for a judge in a court of last resort, and, although without previous judicial experience, the prediction is confidently made by those who warmly supported him for the place, that he will fully sustain the dignity and purity, as well as ability and learning of the bench.

His appointment was a distinct triumph for the bar. In his case, which was not one of judicial promotion, professional fitness and legal proficiency, unaided by the arts of the demagogue, have won the loftiest honor that can crown the exertions, or reward the ambition of the most zealous priest in the temple of Themis.

Even in his pleasures, the simplicity of the character of Mr. Shiras is revealed. For nearly forty years he and his father—happily spared to be his companion among the lakes and streams, and renowned for his skill as an angler—have turned from toil with zest to those “recreations of the Contemplative man” so charmingly portrayed by the Sempster of Fleet Street; together they have often proved the pleasures yielded by valleys, woods, and hills, and like true disciples of Isaack Walton well know that “if the angler take fysshe, surely thenne, is there noo man merier than he is in his spyryte.”

In 1857 Mr. Shiras married Miss Kennedy, daughter of

Robert T. Kennedy, a prominent manufacturer of Pittsburgh, a woman of the most amiable social qualities, and of the most engaging modesty. They have two children, both sons, inheriting their father's professional tastes, and engaged in the practice of the law at Pittsburgh. In the year 1883 his Alma Mater conferred upon him the degree of LL.D., his name having been suggested for that honor by his Class of 1853, without his knowledge.

Since the days of Chief Justice Taney the sessions of the Supreme Court have been held in a crescent-shaped room near the Rotunda of the Capitol, formerly occupied by the Senate of the United States. The associations and traditions of this small, though imposing chamber throng upon the mind and detain the reverent stranger. Here Webster and Clay contended against Calhoun, Hayne, Benton and Wright. Here Charles Sumner appeared at the bar, on the 1st of February, 1865,—less than ten years after the decision in *Dred Scott v. Sandford* had been pronounced,—and moved for the admission of John S. Rock, of Massachusetts, a colored man. Here the sessions of the Electoral Commission were held, and here was the scene of many memorable arguments. Although the system of railroads and the consequent ease of communication with all parts of the country, as has been observed by Mr. Justice Bradley, now enable local counsel to argue their own cases, and have had the effect of lessening the elevated and eclectic character of the arguments made before the Court, yet here have appeared those redoubted leaders, Curtis and Campbell, Charles O'Connor, David Dudley Field, William M. Evarts, William Allen Butler and Clarkson N. Potter, of New York, Richard H. Dana, Jr., of Massachusetts, Reverdy Johnson and S. Teakle Wallis, of Maryland (the latter a pupil of Wirt), Jeremiah S. Black,

Brewster and Ashton, of Pennsylvania, Henry Stanbery and James A. Garfield, of Ohio, George F. Edmunds and Edward J. Phelps, of Vermont, Henderson, of Missouri, McDonald, of Indiana, Merrick and Phillips, of the District of Columbia, and a host of brilliant, able and learned advocates,—*duplex gemmis auroque corona*,—whose fame is a part of the glory of the Court, and the result of whose labors has been woven into the warp and woof of our Constitutional jurisprudence.

As the eye of the visitor sweeps from the marble busts of the dead Chief Justices to the living figures upon the bench and to the animated dialectician at the bar, the genius of the place seems to speak in the stately words of Clarendon: "The law is the standard and guardian of our liberty; it circumscribes and defends it; but to imagine liberty without law is to imagine every man with a sword in his hand to destroy him who is weaker than himself."

